

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TOKYO ELECTRON LIMITED,

Plaintiffs,

v.

SPANSION, INC.,

Defendants.

Case No.: C 09-00502 PVT

**ORDER FOR REASSIGNMENT TO A  
DISTRICT COURT JUDGE**

On February 5, 2009, plaintiff Tokyo Electron Limited applied *ex parte* for a right to attach order pursuant to Rule 64 and California Code of Civil Procedure Sections 483.010, 485.010 and 485.219 and noticed a hearing for February 10, 2009. (“Tokyo Electron”). Plaintiff Tokyo Electron has consented to the jurisdiction of a U.S. Magistrate Judge. Defendant Spansion, Inc. has not appeared and therefore, has not yet consented. (“Spansion”).

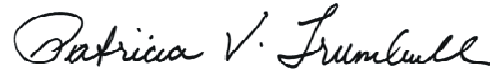
“[A] judge may designate a magistrate judge to hear and determine any pretrial matter pending before the court, except a motion for injunctive relief . . . .” 28 U.S.C. § 636(b)(1)(A). “Upon consent of the parties, a full-time United States magistrate judge . . . may conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case, when specially designated to exercise such jurisdiction by the district court or courts he serves.” 28

1 U.S.C. § 636(c)(1).

2 In light of the nature of the relief sought by plaintiff Tokyo Electron and absent consent of  
3 defendant Spansion, the court is without jurisdiction to proceed on the application. Accordingly, the  
4 above-captioned action shall be reassigned to a district court judge.

5 IT IS SO ORDERED.

6 Dated: *February 5, 2009*



7  
8 PATRICIA V. TRUMBULL  
United States Magistrate Judge